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7 MS. VIERECK: I have been asked to mention

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8 that I am number 66. I'm also auntie, as you can see.

9 I have wonderful nieces and nephews all over the

10 country and enjoy them very much.

11 My name is Jennifer Viereck. I am the

12 Director of the public interest group HOME. That

13 stands for Healing Ourselves and Mother Earth. I am a

14 resident of Tecopa and Inyo County, California.

15 While Yucca Mountain has mainly been framed

16 as a Nevada issue, our county is only 18 miles away

17 from the mountain. Our water is immediately impacted

18 by any runoff from Yucca Mountain, and portions of the

19 Nevada test site already contaminated. I have already

20 registered in writing to the Secretary of Energy our

21 concerns about the violations of First and Fifth

22 Amendment rights concerning the scheduling of this, the

23 Amargosa and the Pahrump hearings.

24 I have followed this issue closely since

25 1987, to the detriment of my family and other

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1 responsibilities. I have traveled to many hearings at

2 my own expense. I have struggled through tomes, I have

3 learned to discuss topics completely unknown to me.

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4 Hydrology, seismology, geology, and so on.

5 I would like to be able to give you an

6 educated response tonight to the suitability of the

7 proposed Yucca Mountain Site. However, I am unable to

8 do so for the following reasons:

9 First and foremost, despite repeated requests

10 from myself and others, the United States has never at

11 any time, in court or out, provided proof of ownership

12 for the land surrounding Yucca Mountain. The most

13 recent legal precedent for this is a case brought

14 before the International Court of the Organization of

15 American States, which last year decided against the

16 United States. It upheld the United States' treaty

17 with the Western Shoshone Nation, ratified in 1863,

18 known as the Treaty of Ruby Valley.

19 In light of this, all current activities at

20 Yucca Mountain appear to be trespass actions against

21 the Western Shoshone Nation. Iraq was bombed for the

22 same thing.

23 Secondly, even if you ignore this treaty

24 completely, the State of Nevada has refused to give

25 water rights to a project so clearly against the public

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1 interest. How can that proceed without water?

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2 Thirdly, despite repeated requests from  
3 numerous entities, including myself, no comprehensive  
4 study has been done on the enormous impacts of massive  
5 waste transportation. During the draft environmental  
6 impact hearings, I asked questions at three different  
7 hearings. DOE staff present were unable to provide  
8 answers and said they would mail me responses. Later,  
9 I made inquiries. I was told my requests would only be  
10 processed after the final EIS was out. So neither my  
11 comments nor my requests for more information have yet  
12 been addressed. And the final EIS is not available to  
13 us.

14 So I am unable to reasonably evaluate the  
15 Yucca Mountain Site for suitability at this time.

16 During the supplemental DEIS in Amargosa in  
17 May, I again raised issues and questions. As a member  
18 of the CAB for Inyo County, California, that SDIS  
19 document was based on a number of highly speculative  
20 design components such as future storage ponds and  
21 above-ground storage facilities not previously  
22 considered. These would legally require substantial

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23 scientific study of surface water, earthquake impact,  
24 containment research, et cetera, as well as technical  
25 review and public hearings. I asked the DOE at that  
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1 time to consider a USGS water report in the EIS which  
2 directly pertains to the effects the project would have  
3 on my community. Again since the final EIS is not  
4 complete, and my concerns much not yet been addressed,  
5 I am unable to reasonably evaluate site suitability.

6 When the EPA radiation standards for Yucca  
7 Mountain were considered, I and many others raised  
8 important concerns about demographics, dose  
9 calculations, and the arbitrary period of time under  
10 consideration. The standards were issued without  
11 addressing these concerns, resulting in several  
12 lawsuits. Since these lawsuits are not resolved, we do  
13 not know the final outcome on the radiation standards.  
14 I am therefore unable to reasonably evaluate site  
15 suitability.

16 In regards to the existing site suitability  
17 guidelines, it seems assured that the Yucca Mountain  
18 Project could not meet them. However, the evaluation  
19 for the purpose of these hearings is based on proposed

20 new guidelines, apparently hoping to change the rules  
21 to fit the shortcomings of the site. Since these new  
22 guidelines are not yet law, but the legal guidelines  
23 were not used, I am unable to reasonably evaluate site  
24 suitability.

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25 MODERATOR BROWN: You have one half minute.

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1 MS. VIERECK: Furthermore, other critical  
2 information is not yet available, such as the study of  
3 metal Alloy-22, key to the containment of the waste  
4 itself. Or, the NRC's criteria for providing a  
5 license. Therefore, I cannot reasonably evaluate site  
6 suitability.

7 And lastly, as to the documents specific to  
8 this hearing today, I have been unable to obtain a copy  
9 at all. When first made aware of the August 21st  
10 announcement, I contacted DOE and was told the document  
11 was not yet available. Several days later, I was told  
12 that the copies were all gone. I received a CD a few  
13 days ago, but I am not capable of printing a 377-page  
14 book by myself. For serious review, I need something  
15 that I can bookmark, notate, and share with members of  
16 my community. Since I have not even seen the document,

17 I can't reasonably evaluate it.

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18       So let's encapsulate the few things that we  
19 do know and see where we stand. Under existing legal  
20 site suitability guidelines, DOE's own research for the  
21 past 20 years says that this site could not safely  
22 contain high-level waste. The demographic data on  
23 which the DOE based its dose estimates is over 10 years  
24 old, and was seriously flawed then. In the fastest  
25 growing population area of the United States. Under  
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1 existing DOE studies, the water on which this  
2 precarious desert environment depends for life cannot  
3 be definitively protected. Vast documentation exists  
4 proving that all existing -- all existing DOE sites  
5 leak. Many of them on a genocidal level.

6       It is also well documented that the DOE has  
7 consistently lied and covered up since its inception to  
8 advance its own agenda. The United States has been  
9 unable to prove title to the land, land already  
10 poisoned by over 50 years of nuclear weapons  
11 detonation.

12       Like the gift of smallpox blankets, this  
13 project appears to be a racist attack on the Western

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14 Shoshone people, unprecedented in human history. For  
15 all the above reasons, I must emphatically ask that  
16 Secretary Abraham refuses to recommend the Yucca  
17 Mountain Site for any further consideration. That  
18 taxpayer monies not be depleted further on this  
19 essentially criminal enterprise, that reparations be  
20 made to the Western Shoshone Nation for the violations  
21 committed thus far, and responsibility taken for full  
22 mitigation of the site as much as possible.

23 I understand that the DOE has been trying to  
24 fulfill a morally corrupt mandate imposed on it by  
25 Congress, in 1987, to solely study this site for  
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1 high-level waste disposal. I have spoken with project  
2 employees over the years and asked them how they can be  
3 a part of it. They assured me that they were supplying  
4 objective scientific information, and privately  
5 concurred in the last few years that responsible review  
6 would terminate this project prior to site  
7 recommendation.

8 Well, here we all are. However, we all have  
9 to go forward from this point. We need to return our  
10 nation to a sane and responsible path in containing

11 this deadly poison that we have created. I pray that  
12 all of you at DOE have the moral courage to do the  
13 right thing, and if you don't, we will find a way to  
14 stop you. Thank you all for your time.

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